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C O N F I D E N T I A L SECTION 01 OF 03 BEIRUT 000147

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NSC FOR ABRAMS/DORAN/MARCHESE/HARDING

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TAGS: [PREL](#) [PGOV](#) [PTER](#) [KDEM](#) [LE](#) [SY](#)

SUBJECT: BERRI OFFERS TO REMOVE TENTS, RESTART DIALOGUE --
IF MARCH 14 FREEZES TRIBUNAL UNTIL JUNE

Classified By: Jeffrey Feltman, Ambassador, per 1.4 (b) and (d).

SUMMARY

1. (C) Since Friday, Parliament Speaker Nabih Berri has sent, successively, his brother Mahmoud, his foreign policy advisor Ali Hamdan, and (resigned) Amal-aligned Minister of Health Mohammed Khalifeh to see the Ambassador. Their message: that the Speaker is ready to use his influence to calm the situation, end the sit-in strike downtown, remove the tents surrounding PM Siniora's compound, and re-start the National Dialogue to move the political debate from the street, where dangers are growing, to the table. But, to convince his more radical allies, Berri needs something in his hand first from March 14. Berri proposals freezing the Special Tribunal until June, to allow for the political climate to improve before the tribunal is discussed again. He can give guarantees that the tribunal will not be permanently frozen. The Ambassador emphasized that the Lebanese need to talk directly among themselves about what is possible, but freezing the tribunal until June appeared to be a trick to freeze it until October, given the parliamentary calendar. As March 8-Aoun forces drove the country to the edge of catastrophe, they should take the initiative in now turning back. We shared Berri's proposal with Mohamed Chatah, who was deeply skeptical. End summary.

BERRI WORRIED; WILLING
TO CALL FOR END TO STRIKE

2. (C) In the past several days, Parliament Speaker Nabih Berri used three channels -- his brother Mahmoud Berri, (resigned) Minister of Health Mohammed Khalifeh, and Amal Foreign Policy Advisor Ali Hamdan -- to send messages to the Ambassador. While there were some slight variations between their versions of what Berri wants and needs, the three, when meeting with the Ambassador, all emphasized how worried Berri is by the explosive situation in the aftermath of the 1/23 and 1/25 demonstrations and riots. Berri, they reported, is now ready to use his influence to end the sit-in near the Grand Serail, remove the "tent city" that has sprouted there, and reconvene the National Dialogue to diffuse tensions. The main point for everyone is to buy time, Khalifeh said; after a "terrible week," both sides need to pull back, and Berri is willing to use his influence to convince his March 8-Aoun allies to do so.

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BUT WANTS TO TRADE REMOVAL OF TENTS

13. (C) But Berri, his envoys insisted, needs something in his hands to convince the others to move away from confrontation. If the March 14 and GOL leaders would agree to freeze temporarily debate on the Special Tribunal for Lebanon, then Berri would use that freeze to get Hizballah and Michel Aoun to end the sit-in and return to the Dialogue table. Clearly the best briefed of the three on Berri's thinking, Hamdan argued that, in agreeing to a tribunal freeze until June, March 14 leaders are conceding nothing -- for all practical purposes, the tribunal is frozen now, and the Brammertz investigation will not be complete before June in any case. What March 14 will gain, by contrast, is a lifting of the siege around the Grand Serail. Hamdan said the Speaker could offer March 14 leaders some "guarantees" that the tribunal will not be permanently frozen. The Ambassador -- noting that he did not want to be set up as a salesman for faulty products no one wants to buy -- responded that Berri should be testing such guarantees with March 14 leaders directly.

SHIA MINISTERS WON'T RETURN
TO CABINET WITHOUT AOUN ON BOARD

14. (C) While expressing skepticism that March 14 leaders would accept a so-called temporary freeze of the tribunal, the Ambassador asked all three what happens with the cabinet if such a deal is unexpectedly acceptable to the March 14 leaders. They said that the Shia ministers could not return to the cabinet without Aoun getting his share. Promising to pitch the idea to the Speaker, Khalifeh toyed a bit with the

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Ambassador's proposal that, to make the trade sound more attractive to March 14 leaders, Berri should make it clear that the existing cabinet will again be recognized as legitimate, with its decisions acknowledged, until such time as a new or expanded cabinet is agreed upon. The first order of business for the renewed National Dialogue would be the cabinet expansion, Khalifeh noted, so "maybe" the Shia would again recognize Siniora's current cabinet in the meantime.

TESTING WHETHER TRIBUNAL FREEZE
IS A TRICK, A WAY TO DERAIL TRIBUNAL

15. (C) Meeting with Khalifeh on 1/27 (a day after seeing Hamdan and Mahmoud Berri), the Ambassador noted that Berri's proposal to freeze the tribunal until June appeared after further study to be a trick: the regular parliamentary session that begins mid-March, when March 14 hopes to force a tabling of the tribunal documents, expires constitutionally at the end of May. Unless President Lahoud and Berri commit in advance to calling for an extraordinary session of parliament in the summer, then Berri says June while knowing full well that what he really means is October, the next regular session of parliament. At that point, the parliament will presumably be consumed with the presidential elections, given the expiration of Lahoud's term on November 24. So the temporary freeze, the Ambassador said, looks more like permafrost. Moreover, even if the tribunal were taken out of the freezer, what is the status of the existing cabinet approval of the tribunal documents? If Berri and his allies acknowledge that the freeze is only on parliamentary action -- that the cabinet approval stands and is accepted as legitimate -- then a freeze is less frightening. Now, the Ambassador noted, it seemed as though Berri was attempting to freeze the tribunal at least long enough to see a cabinet expansion implemented that stripped the March 14 forces of the two-thirds majority needed to pass the tribunal through the cabinet again.

16. (C) Khalifeh did not dispute the point but cautioned

that the situation is so dangerous on the ground that something is needed to break the political deadlock. The Ambassador noted that Berri and his allies had driven the country to the edge of the cliff, so they should recognize their responsibility to shift to reverse. Dismantling the tent city, opening an extraordinary session of parliament, replacing Emile Lahoud, calling political leaders back to the National Dialogue, returning the Shia ministers to cabinet, recognizing the legitimacy of the Siniora government, concurring with a legitimate 19-10-1 cabinet split after accepting the tribunal -- any of these steps would help significantly in reducing tensions, the Ambassador noted, and all can be done now. Khalifeh pleaded to "give the Speaker something to use" in convincing his more radical allies to back down. The Ambassador emphasized to Khalifeh the need for the Speaker and the other Lebanese leaders to speak directly to each other about their respective needs.

COMMENT

17. (C) The Ambassador shared Berri's proposals with Mohamed Chatah, senior advisor to PM Siniora, on 1/27. Chatah was, predictably, unenthusiastic. The Ambassador will also see PM Siniora and Walid Jumblatt separately on 1/28 and will brief them. There is some risk in passing on such ideas, of course, for, when they fail --- as they will -- Berri might very well blame the Ambassador, as he blamed French Ambassador Emie for the failure of his earlier proposal for a 3-4-3 cabinet in December. While Berri's fear of the deteriorating situation seems both justified and sincere, we do not believe that his proposal to freeze the tribunal "just" until June is being made in good faith. We note, however, that we have been approached separately by an Aoun bloc deputy (septel) about a deal to remove the tents from downtown and end the sit-in, so perhaps there is at least a sense among the March 8-Aoun crowd that the tent city is an asset of sharply diminishing returns.

18. (C) It is intriguing, however, that Berri backed down from positions he held only a week ago, that the tribunal had to be shelved until further notice and/or Siniora's cabinet had to resign. In addition, he is no longer proposing that March 14's share in the cabinet be reduced to less than a

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blocking minority (as it would have been in the 3-4-3 proposal. Whether Berri's softening is an opening or just a trick is something that the Lebanese are in the best position to grasp. After all, in the end, Berri needs to persuade the Lebanese, not us, to consider his proposal. March 14 leaders, we believe, will be inclined to see a trick in Berri's approach. In our view, Berri is clever enough to realize that March 14 will not concede to all March 8-Aoun demand at once, and he -- perhaps alone among the March 8-Aoun crowd, given that the relative weakness of his Amal movement vis-a-vis Hizballah would be exposed in sustained street action -- does not seem to favor sustained violence to achieve his bloc's goals. So it appears to us that he's trying for a more incremental approach: get the tribunal frozen now, then use the National Dialogue to force through a cabinet change favoring March 8-Aoun, and so forth.

FELTMAN